

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 DHA-02 SAJ-01 CIAE-00 DODE-00 PM-04

H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 /061 W

-----190826Z 092666 /14

P R 181550Z JAN 77

FM AMEMBASSY PRAGUE

TO SECSTATE WASHDC PRIORITY 1887

INFO AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY MOSCOW

AMCONSULATE MUNICH

AMEMBASSY SOFIA

AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 1 OF 2 PRAGUE 0175

E.O. 11652: GDS

TAGS: PINS, PINT, SHUM

SUBJECT: REGIME INCREASES PRESSURE ON DISSIDENTS-FORMAL CHARGES

AGAINST FOUR

1. WE ASSUME DEPARTMENT HAS TEXT OF CZECHOSLOVAK PRESS AGENCY CTK REPORT OF ARREST IN PRAGUE OF FOUR DISSIDENTS ON CHARGES OF VIOLATING CHAPTER 1 OF THE SPECIAL SECTION OF THE CZECHOSLOVAK PENAL CODE BY HAVING "MAINTAINED CONTACTS FOR SOME TIME WITH ENEMY FORCES AND EMIGRE CENTERS ABROAD AND PASSED THEM MATERIALS HARMFUL TO THE INTERESTS OF THE CSSR."

2. CTK IDENTIFIED ONLY ONE ACCUSED, OTTO ORNEST, BY HIS FULL NAME AND OTHERS BY INITIALS, "VH, JL, AND FP." WE SUSPECT INITIALS STAND FOR
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VACLAV HAVEL, JAN LOPATKA OR JIRI LEDERER AND FRANTISEK PAVLICEK RESPECTIVELY. PLAYWRIGHT HAVEL IS WELL KNOWN IN WEST BOTH FOR HIS WORK

AND FOR HIS DISSIDENT ACTIVISM. LOPATKA IS A LITERARY CRITIC.

LEDERER, A JOURNALIST AND LITERARY CRITIC, AND PAVLICEK, A FORMER

THEATER DIRECTOR, WERE EXPELLED FROM CZECHOSLOVAK COMMUNIST PARTY AND

LOST JOBS IN 1969, WHILE ORNEST WAS FIRED AS DIRECTOR OF PRAGUE

MUNICIPAL THEATER IN 1972, PRESUMABLY AS PART OF PURGE OF DISSIDENTS.

3. CTK REPORT DOES NOT MENTION CHARTER 77 IN CONNECTION WITH ACCUSATION AGAINST FOUR, ALTHOUGH HAVEL HAS BEEN AMONG THOSE MENTIONED IN ALMOST EVERY ATTACK ON CHARTER. PLAYWRIGHT PAVEL KOHOUT HAS BEEN EVEN MORE FREQUENTLY MENTIONED AND REVEILED IN CHARTER CONTEXT, BUT SO FAR HAS NOT BEEN FORMALLY ACCUSED OF CRIME. NEVERTHELESS, FILING OF FORMAL CHARGES AGAINST THESE FOUR WILL BE READ HERE AS A FIRM WARNING TO THOSE INVOLVED IN CHARTER 77 DRAFTING, SIGNING AND DISTRIBUTION AND TO OTHER DISSIDENTS THAT THEY TOO COULD BE BROUGHT UNDER INDICTMENT.

4. GOING BEYOND THE CHARTER 77 CONTEXT, WE THINK IT QUITE POSSIBLE THAT GOC HAS HAD THE FOUR ACCUSED UNDER INVESTIGATION FOR SOME TIME AND MAY HAVE BEEN ABLE TO DEVELOP EVIDENCE THAT THEY HAVE BEEN ACTIVE IN HEAVY CLANDESTINE TRAFFIC IN POLITICAL TRACTS AND WESTERN PUBLICATIONS BETWEEN DISSIDENTS HERE AND ABROAD. IN OUR EXPERIENCE, CZECHOSLOVAK JUDICIAL PROCEDURES ARE DELIBERATE, WITH SEVERAL MONTHS OFTEN ELAPSING BETWEEN START OF INVESTIGATION AND FORMAL CHARGE AND TRIAL. CASE OF FOUR MAY HAVE BEEN IN INVESTIGATIVE PHASE AND BROUGHT TO LIGHT PREMATURELY TO AID IN ANTI-CHARTER CAMPAIGN. THERE IS SOME EVIDENCE OF HASTE IN CTK STATEMENT THAT ACCUSED WERE CITED UNDER CHAPTER 1 OF PENAL CODE RATHER THAN, AS IS CUSTOMARY, UNDER ONE OR MORE OF 25 SPECIFIC ARTICLES IN THAT CHAPTER WHICH DEALS WITH BROAD RANGE OF ANTI-STATE ACTIVITIES; PROSECUTION MAY NOT YET

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BE IN A POSITION TO MAKE SPECIFIC CHARGE.

5. ANNOUNCEMENT OF FILING OF CHARGES COMES IN MIDST OF A NATIONWIDE MEDIA CAMPAIGN AGAINST CHARTER 77 AND ITS SIGNERS. THIS CAMPAIGN WAS TRIGGERED BY THE JANUARY 12 RUDE PRAVO EDITORIAL LAYING OUT THE REGIME'S CASE AGAINST THE DISSIDENTS (PRAGUE 0117). NEWSPAPERS, INCLUDING PROVINCIAL DAILIES, CARRY LONG ARTICLES ON PROTESTS AGAINST CHARTER BY INDIVIDUALS AND GROUPS, AND TV CARRIES INTERVIEWS WITH WRITERS AND OTHER ARTISTS AND WORKERS OPPOSING CHARTER. FREQUENT THEMES ARE THAT CHARTER AUTHORS AND SIGNERS DO NOT DESERVE TO LIVE IN THIS COUNTRY OR THAT THEY DESERVE PUNISHMENT.

6. THE CHARTER 77 ISSUE AND CHARGES AGAINST FOUR INTELLECTUALS IS MOST DIRECT CONFRONTATION BETWEEN REGIME AND THE SMALL BAND OF COMMITTED DISSIDENTS SINCE THE POST-1968 CLEANUP WHICH CULMINATED IN THE TRIALS OF 1971-1972. AS BELGRADE 77 MOVES CLOSER, IT APPEARS THAT BOTH SIDES HAVE DECIDED TO ENTER BATTLE ON THE ISSUE OF THE INTERPRETATION OF THE HELSINKI FINAL ACT AND ITS IMPLICATIONS

FOR CZECHOSLOVAK SOCIETY. THE DISSIDENTS SEE IN THE APPROACH OF BELGRADE THEIR BEST CHANCE TO BRING A CASE FOR GREATER FREEDOM OF EXPRESSION AND MOVEMENT TO THE ATTENTION OF WORLD OPINION AND TO FORCE THE REGIME TO LIBERALIZE. THE REGIME VIEWS THE CURRENT OUTBURST OF DISSIDENT ACTIVITY AS AN ATTEMPT TO EMBARRASS IT AND TO FORCE IT TO MAKE CONCESSIONS THAT RUN COUNTER BOTH TO THE REGIME'S OWN ATTITUDES ON THE COURSE COMMUNIST DEVELOPMENT MUST TAKE AND, MORE IMPORTANTLY, TO THE SOVIET LEADERSHIP'S ATTITUDES AND WILLINGNESS TO TOLERATE DISSENT WITHIN ITS EMPIRE. MARTIN LUTHER MAY HAVE BEST SUMMED UP REGIME'S FEELING ABOUT TOO PUBLIC DISSENT: "IT NOT ONLY IS NOT RIGHT, IT IS NOT SAFE."

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C O N F I D E N T I A L SECTION 2 OF 2 PRAGUE 0175

7. WE BELIEVE THAT THE HUSAK REGIME HAS TAKEN A COLLECTIVE DECISION TO TRY TO CLEAN HOUSE AND QUIET THE MOST ANNOYING EXPRESSIONS OF DISSENT WELL BEFORE BELGRADE. IT IS SAYING TO THE DISSIDENTS: "YOU HAVE NO MASS SUPPORT IN THIS COUNTRY. IF YOU GO TOO FAR IN EXPRESSING DISSENT AND ESPECIALLY IN MAKING A CASE THROUGH FOREIGN CONTACTS AND SUPPORT, WE HAVE THE MEANS AND THE WILL TO ACT DECISIVELY AGAINST YOU." THE REGIME HAS SO FAR KEPT ITS CURRENT MOVES AGAINST THE DISSIDENTS ANONYMOUS; ALTHOUGH ALL THE MEDIA CONTROLLED BY THE PARTY HAVE BEEN BROUGHT TO BEAR, NO SENIOR OFFICIAL HAS YET BEEN PUBLICLY QUOTED AS COMMENTING ON CHARTER 77. INSTEAD IT IS "THE PEOPLE" -- WORKERS, NONDISSIDENT

INTELLECTUALS, REGIME-CONTROLLED CLERGY, SPORTS FIGURES, ETC.--
WHO ARE CARRYING OUT THE PUBLIC ATTACKS, THUS DEMONSTRATING THAT IT
IS THE SYSTEM AS A WHOLE, NOT JUST THE LEADERSHIP OR JUST THE
HARDLINERS, THAT OPPOSE DISSENT OF THIS TYPE.

8. THE APPROACH OF BELGRADE PROVIDED THE DISSIDENTS HERE WITH
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AN IRRESISTIBLY TEMPTING OPPORTUNITY TO BRING THEIR CASE TO
THE WORLD. IF THEY EXPECTED TO AROUSE WIDESPREAD, ACTIVE SUPPORT FROM

ANY IMPORTANT GROUP OR SEGMENT OF CZECHOSLOVAK SOCIETY, THEY
WERE DOOMED TO FAILURE. IF, HOWEVER, THEIR AIM WAS TO FORCE
THE REGIME TO CREATE MARTYRS, THEY MAY HAVE SOME SUCCESS,
ALTHOUGH WE BELIEVE THE REGIME AT PRESENT IS QUITE CAPABLE OF
MODULATING ITS REPRESSIVE RESPONSE SO AS TO MINIMIZE ITS LOSSES.
WE THINK THAT THE REGIME IS LIKELY TO COME OUT OF THIS CONFRONTATION
WITH NO WEAKENING OF ITS CREDENTIALS IN MOSCOW, BUT WITH SOME
INCREASED EXPOSURE TO FOREIGN CRITICISM AND NO FINAL VICTORY OVER
THE DISSIDENTS. THE DISSIDENTS ARE LIKELY TO COME OUT OF ALL THIS
BRUISED, WITH SOME OF THEM IN PRISON, BUT BASICALLY UNBOWED
AND, OBEYING THE HUSSITE STRAIN STILL STRONG IN SOME CZECHS, READY
TO DO BATTLE AGAIN AT THE NEXT OPPORTUNITY.
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